

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

Salia Issa,
Fiston Rukengeza, and
Salia Issa and Fiston Rukengeza as
next friends of their unborn child,

Plaintiffs,

v.

Texas Department of Criminal Justice,
Lt. Brandy Hooper, individually,
Lt. Desmond Thompson, individually, and
Assist. Warden Alonzo Hammond, individually,

Defendants.

CIVIL ACTION NO: 1:22-cv-1107-LY

PLAINTIFFS' UNOPPOSED MOTION TO AMEND BRIEFING SCHEDULE

Plaintiffs in the above-captioned case, through counsel, hereby move to amend the briefing schedule on Defendants' pending motions to dismiss (Doc. #20 and #21). In support thereof, Plaintiffs' state as follows:

1. Defendants filed the pending motions to dismiss on January 26, 2023.
2. The motions to dismiss are case dispositive and involve complex legal issues such as sovereign immunity, qualified immunity, and various aspects of constitutional law.
3. Consistent with local rule, Plaintiffs' responses are presently due on or before February 9, 2023, and Defendants' replies are due on or before February 16, 2023.
4. Plaintiffs' counsel is presently in Illinois scheduled to begin trial next week on January 30, 2023. The trial is expected to last the entirety of next week and go into the week of February 6, 2023, due to witness availability.

5. Due to the complex nature of the legal issues involved, coupled with Plaintiffs' counsel's very limited availability while in trial, Plaintiffs believe there is good cause¹ to modify the briefing schedule and hereby move to set the briefing schedule as follows:

a. Plaintiffs' responses to Defendants' pending motions to dismiss (Doc. #20 and #21) shall be filed on or before February 17, 2023.

b. Defendants' replies to Plaintiffs' responses shall be filed on or before March 3, 2023.

6. Plaintiffs' counsel has conferred with Defendants' counsel, who indicated that he does not oppose the present motion.

WHEREFORE, Plaintiffs hereby move to amend the briefing schedule on Defendants' pending motions to dismiss (Doc. #20 and #21). A proposed order is filed contemporaneously with this motion.

Respectfully submitted,

/s/ Ross A. Brennan
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¹ See generally Fed. R. Civ. P. 6(b) and 16(b)(4).